



Docket: 98037

UNITED STATES PATENT AND TRADEMARK OFFICE

#21
S. Cotton
8-1-01

In re Application of:

Stefan J. HALBLÄNDER

Group Art Unit: 2164

Serial No.: 09/043,574

Examiner: Hani Kazimi

Filed: March 26, 1998

Last Action: February 27, 2001

For: METHOD FOR THE SITUATION-DEPENDENT
ARRANGEMENT AND/OR ACTIVATION OF
RESOURCES

REQUEST FOR RECONSIDERATION

RECEIVED
JUL 31 2001
TC 2100 MAILROOM

Honorable Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

Claims 21 and 32-42 are pending in the above-captioned application. In an Office Action dated February 27, 2001, all claims were rejected under 35 U.S.C. 102(b) as being anticipated by Parad. During a personal interview on May 11, 2001, the differences between Parad and the invention as claimed were discussed. The undersigned wishes to thank the examiner for granting the interview and taking the time to discuss the application and the Parad reference in detail.

During that interview, Applicant's representative explained that the primary difference between the subject invention and the Parad reference was the claimed feature of performing an ongoing optimization simulation. Parad performs a single optimization calculation when a schedule is

first developed. Any changes to the schedule that occur after the schedule is created may be acceptable but are not optimal. In order to provide an optimal schedule that takes into account the changes, it would be necessary to recalculate a new schedule, a process that takes at least half an hour according to the reference. Parad addresses this problem by calculating an optimal schedule once and thereafter calculating an acceptable schedule each time an event or error occurs that changes the original schedule. If recalculating an optimal schedule each time an error occurred was a feasible option, Parad would not need to respond to changed conditions in the manner described.

The claimed invention performs an ongoing optimization simulation and therefore responds to every event, both error and non-error, with the best allocation of resources. The lack of this ongoing optimization calculation was noted in the International Preliminary Examination Report as the reason for finding that the invention patentably distinguished over Parad. An English-language copy of the IPER is enclosed. A more detailed discussion of the differences between the inventions of the present applicant and Parad can be found in the Amendment filed December 11, 2000.

All pending claims include a limitation directed to an ongoing optimization simulation. This feature is not found in Parad. For these reasons, it is respectfully submitted that

claims 21 and 32-42 are allowable over Parad, and the allowance of these claims is earnestly solicited.

Applicant's attorney can be reached at the below telephone number if further information is needed.

Respectfully submitted,
Dennison, Scheiner,
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